

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re: ) Chapter 9  
 )  
CITY OF DETROIT, MICHIGAN, ) Case No. 13-53846  
 )  
 ) Hon. Thomas J. Tucker  
Debtor. )  
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**CERTIFICATE OF NO RESPONSE WITH RESPECT TO MOTION OF  
THE GENERAL RETIREMENT SYSTEM OF THE CITY OF DETROIT  
TO APPROVE IMPLEMENTATION OF ASF RECOUPMENT CASH  
OPTION PROVISIONS OF THE EIGHTH AMENDED PLAN  
FOR THE ADJUSTMENT OF DEBTS OF THE  
CITY OF DETROIT, MICHIGAN**

On September 4, 2015, the General Retirement System of the City of Detroit (the “GRS”) filed the Motion of the General Retirement System of the City of Detroit to Approve Implementation of ASF Recoupment Cash Option Provisions of the Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan [Dkt. No. 10176] (the “Motion”). On September 4, 2015, the Motion was served using the CM/ECF system, as evidenced by the Certificate of Service attached hereto as Exhibit B. Parties in interest were required to file and serve any responses to the Motion not later than September 21, 2015. No such response has been timely filed and served.

Therefore, the GRS respectfully requests that the Court enter the proposed *Order Granting Motion of the General Retirement System of the City of Detroit to Approve Implementation of ASF Recoupment Cash Option Provisions of the Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan*, a copy of which is attached hereto as Exhibit A.

Dated: September 24, 2015

Respectfully submitted,

CLARK HILL PLC

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## **EXHIBIT A**

### **Proposed Order**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re: ) Chapter 9  
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CITY OF DETROIT, MICHIGAN, ) Case No. 13-53846  
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**ORDER GRANTING MOTION OF THE GENERAL RETIREMENT  
SYSTEM OF THE CITY OF DETROIT TO APPROVE  
IMPLEMENTATION OF ASF RECOUPMENT CASH OPTION  
PROVISIONS OF THE EIGHTH AMENDED PLAN FOR THE  
ADJUSTMENT OF DEBTS OF THE CITY OF DETROIT, MICHIGAN**

This matter having come before the Court upon the Motion of the General Retirement System of the City of Detroit to Approve Implementation of ASF Recouptment Cash Option Provisions of the Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan (the “Motion”); and the City having consented to the relief requested in the Motion; and the Court having considered the Motion and finding that good cause exists for granting the relief requested therein;

**IT IS HEREBY ADJUDGED AND ORDERED THAT:**

1. The Motion is granted.

2. The ASF Distribution Recipients<sup>1</sup> identified on Exhibit 5-D to the Motion, who timely signed and returned the ASF Recoupment Cash Option Election Form but who failed to check the election box and who confirmed on the Questionnaire their intent to make the election, are deemed to have effectively made the ASF Recoupment Cash Option Election and are authorized to make the ASF Recoupment Cash Payment on the terms set forth in this Order and the Plan.

3. The ASF Distribution Recipients identified on Exhibit 5-B to the Motion, whose Cash Option Forms were untimely received, are authorized to make the ASF Recoupment Cash Payment on the terms set forth in this Order and the Plan.

4. The GRS is authorized and directed to: (a) mail ASF Final Cash Payment Notices to the ASF Distribution Recipients identified on Exhibit 5-B and Exhibit 5-D to the Motion; (b) accept ASF Recoupment Cash Payments from the ASF Distribution Recipients identified on Exhibit 5-B and Exhibit 5-D to the Motion if said payments are received on or before the 50<sup>th</sup> day after service of the ASF Final Cash Payment Notices; and (c) if an ASF Recoupment Cash Payment is timely received by the GRS, credit the payor retiree's monthly benefit check for

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the *Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan* [Dkt. No. 8045] (the “Plan”).

amounts deducted on account of ASF Recoupment since March 1, 2015, as soon as it is administratively feasible to do so.

5. Monthly pension benefit reductions on account of ASF Recoupment will not be credited back for: (a) any individual ASF Distribution Recipient identified on Exhibit 5-B or Exhibit 5-D to the Motion who fails to timely make the ASF Recoupment Cash Payment; or (b) any other ASF Distribution Recipient not identified on Exhibit 5-B or Exhibit 5-D to the Motion.

6. Nothing in this Order shall be deemed to modify or amend the terms of the Plan or the Confirmation Order.

## **EXHIBIT B**

### **CERTIFICATE OF SERVICE**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In re: ) Chapter 9  
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CITY OF DETROIT, MICHIGAN, ) Case No. 13-53846  
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 ) Hon. Thomas J. Tucker  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 4, 2015, Motion of the General Retirement System of the City of Detroit to Approve Implementation of ASF Recoulement Cash Option Provisions of the Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, Michigan (the “Motion”), Notice of and Opportunity to Object to the Motion, and this Certificate of Service were filed using the Court’s CM/ECF system, which CM/ECF system will send notification of such filing to all parties of record.

CLARK HILL PLC

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*Counsel to the General Retirement System of the  
City of Detroit*

Dated: September 4, 2015